

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3781 OF 2017

Mr. Vijay R. Tiwari	... Petitioner
Vs	
State of Maharashtra & Ors.	... Respondents

...

Mr. M. D. Pol for the Petitioner.
Mr. Tejas Gokhale i/b. Ashok Purohit & Co. for the Respondent Nos.
3, 4 and 5.
Ms. Vaishali Nimbalkar, AGP for the Respondent Nos. 1, 2 and 4.
Mr. Rishikesh Soni i/b. Rahul Karnik for the Respondent No. 8.

CORAM : M. S. SONAK, J.
DATE :28 SEPTEMBER, 2017

P.C. :

1. After this matter was heard for some time, it transpires as against the order dated 7th February 2017 made under Section 35 (1) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (Slum Act), the petitioner has an alternate and efficacious remedy of instituting the appeal before the Grievance Redressal Committee, constituted by the State Government in terms of Section 35 (1) (a) of the Slum Act.

2. The learned counsel for the petitioner, states that such appeal

will be instituted within a period of one week from today. He further, submits that the interim protection granted by this Court may be extended for some reasonable period, so that, the petitioner, can apply for interim reliefs before the Grievance Redressal Committee.

3. This petition is disposed of by granting liberty to the petitioner to avail the alternate remedy. If the appeal is instituted within a period of one week from today, the Grievance Redressal Committee may not reject the appeal on the ground of bar of limitation, if any. This means that the appeal will be considered and disposed of on its merits and in accordance with law.

4. The interim protection granted by this Court is extended for a period of four weeks from today. In the meanwhile, the petitioner will be at liberty to apply for interim relief before the Grievance Redressal Committee, which shall consider the application and dispose of the same on its own merits and in accordance with law after affording all concerned parties an opportunity of hearing.

5. It is made clear that this Court has not adverted to the merits of the matter and therefore all contentions of all parties are left open to be determined by the Grievance Redressal Committee.

6. This petition is disposed of with the aforesaid terms without any order as to costs.

7. All concerned to act on the basis of the authenticated copy of this order.

(M. S. SONAK, J.)